

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Don Alan Johnson,

Civil 08-4923 DSD/FLN

Petitioner,

v.

O R D E R

Joan Fabian, Commissioner
of Corrections,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated March 20, 2009, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that Petitioner's application for habeas corpus relief under 28 U.S.C. Section 2254 [#1] is DISMISSED.

DATED: April 13, 2009

s/David S. Doty
David S. Doty, Judge
United States District Court